

It is an objective of the State of California to achieve a drug-free State work place. Any applicant for State employment will be expected to behave in accordance with this objective because the use of illegal drugs is inconsistent with the law of the State, the rules governing civil service and the special trust placed in public servants.

DEPARTMENT OF PERSONNEL ADMINISTRATION

LABOR RELATIONS COUNSEL IV

PROMOTIONAL

TESTING OFFICE 1515 "S" ST., NORTH BLDG., SUITE 400, SACRAMENTO, CA 95814-7243 (916) 324-3227

DEPARTMENTAL PROMOTIONAL

HOW TO APPLY:

Applications may be filed in person or by mail with the:

DEPARTMENT OF PERSONNEL ADMINISTRATION
1515 "S" Street, North Building, Suite 400
Sacramento, CA 95814-7243

ATTENTION: Cindy Lohmeyer
Personnel Office

FILING INFORMATION

Names of successful competitors will be merged onto the existing departmental promotional employment list. Applicants who are on the existing employment list dated 01/25/2002 may wish to re-compete, as list eligibility will expire 01/25/06. New scores will automatically replace existing scores.

DO NOT SUBMIT APPLICATIONS TO THE STATE PERSONNEL BOARD.

FINAL FILING DATE: JUNE 3, 2005

Applications (Form 678) must be **POSTMARKED** no later than the final filing date. Applications postmarked, personally delivered or received via interoffice mail after the final filing date will not be accepted for any reason.

If you have a disability and need special testing arrangements, mark the appropriate box in Part 2 of the "Application for Examination." You will be contacted to make specific arrangements.

NOTE: Accepted applicants are required to bring either a photo identification card or two forms of signed identification to each phase of the examination.

SALARY RANGE: \$7631-\$9421

ELIGIBLE LIST INFORMATION

Names of successful competitors will be merged onto the existing departmental promotional employment list, dated 01/25/02 for the Department of Personnel Administration. Names are merged in order of scores, regardless of test date. Eligibility expires 24 months after it is established.

REQUIREMENTS FOR ADMITTANCE TO THE EXAMINATION

NOTE: All applicants must meet the education and/or experience requirements for this examination by the final filing date.

Experience applicable to one of the following patterns may be combined on a proportional basis with experience applicable to the other to meet the total experience requirement. However, experience in California State service applied toward "Pattern II" must include the same number of years of qualifying experience as required in "Pattern I" performing the duties at a level of responsibility equivalent to that described in "Pattern I".

In addition, all candidates must have membership in The State Bar of California (applicants must have active membership in The State Bar before they will be eligible for appointment).

EITHER I

Four years of experience performing legal duties* at a level of responsibility equivalent to that obtained in the class of Labor Relations Counsel III. (Applicants who have completed three years and six months of the required experience will be admitted to the examination, but must complete four years of such experience before they will be eligible for appointment.)

OR II

Ten years of broad and extensive experience in the practice of law,* of which seven years must be in labor law and include administrative or civil litigation experience.

*Experience in the "practice of law" or "performing legal duties" is defined as only that legal experience acquired after admission to The Bar.

Additional Desirable Qualifications - Experience in State or public sector employer-employee relations law.

Incumbents in this class are experienced journey-level attorneys who have demonstrated the capacity to benefit from increased independence and responsibility and who have demonstrated their ability to perform more difficult legal work. Incumbents are assigned more complex and sensitive legal issues, opinions, arbitrations and court litigation involving generally larger departments with difficult labor relations problems. They are assigned to lengthy and complex hearings or trials that require polished litigation skills. They work with and advise the Department staff on major, complex and sensitive labor relations and non-merit personnel matters.

Positions exist with the Department of Personnel Administration.

EXAMINATION INFORMATION

Education & Experience - Weighted 100.00%

This examination will utilize an evaluation of each candidate's experience and education compared to a standard developed for this class specification. For this reason, it is especially important that each candidate take special care in accurately and completely filling out his or her application. List all experience relevant to the "Requirements for Admittance to the Examination" shown on this announcement, even if the experience goes beyond the seven year limit printed on the application. Supplementary information will be accepted, but read the "Requirements for Admittance to the Examination" carefully to see what kind of information will be useful to the staff during the evaluation.

SCOPE:

In addition to evaluating the competitor's relative abilities as demonstrated by quality and breadth of experience, emphasis in the examining interview will be on measuring competitively, relative to job demands, each competitor's:

- A. Knowledge of:
1. Legal principles and their applications.
 2. Legal research methods.
 3. Administrative law and the conduct of proceedings before administrative bodies.
 4. Scope, character and principles of California statutory law, provisions of the California Constitution, administrative regulations and case law authorities administered or enforced by the Department of Personnel Administration.
 5. Principles of labor law, personnel law, administrative law and civil litigation.
 6. Rules of evidence and conduct of proceedings in trial and appellate courts of California and the United States and before administrative bodies.
 7. Obligations of public officials and administrative boards and agencies.
 8. Duties and powers of the Department of Personnel Administration.

- B. Ability to:
1. Analyze legal principles and precedents and apply them to complex legal and administrative problems.
 2. Perform and direct legal research.
 3. Present statements of facts, law and argument clearly and logically in written and oral form.
 4. Draft opinions, pleadings, rules, regulations, and legislation.
 5. Negotiate effectively.
 6. Recognize the special problems of employer-employee relations.
 7. Independently present difficult and complex cases before administrative bodies and trial and appellate courts.
 8. Draft proposed legislation and administrative regulations.
 9. Handle difficult legal correspondence, analyze situations accurately and adopt an effective course of action.
 10. Direct the work of clerical staff, professional assistants, and lower level attorneys.
 11. Effectively carry out the Department's Equal Employment Opportunity Program.

Veterans preference credit is not granted in promotional examinations.

GENERAL INFORMATION

It is the candidate's responsibility to contact the DEPARTMENT OF PERSONNEL ADMINISTRATION, Personnel Office at (916) 324-3227, three days prior to the written test date if he/she has not received his/her notice.

For an examination without a written feature, it is the candidate's responsibility to contact the DEPARTMENT OF PERSONNEL ADMINISTRATION, Personnel Office at (916) 324-3227, three weeks after the final filing date if he/she has not received a progress notice.

If a candidate's notice of oral interview or performance test fails to reach him/her prior to the day of the interview due to a verified postal error, he/she will be rescheduled upon written request.

Applications are available at STATE PERSONNEL BOARD offices, local offices of the EMPLOYMENT DEVELOPMENT DEPARTMENT, and the DEPARTMENT noted on the front.

If you meet the requirements stated on the reverse, you may take this examination, which is competitive. Possession of the entrance requirement does not assure a place on the eligible list. Your performance in the examination described on the other side of this bulletin will be compared with the performance of the others who take this test, and all candidates who pass will be ranked according to their scores.

The Department of Personnel Administration reserves the right to revise the examination plan to better meet the needs of the service if the circumstances under which this examination was planned change. Such revision will be in accordance with civil service laws and rules and all competitors will be notified.

EXAMINATION LOCATIONS: When a written test is part of the examination, it will be given in such places in California as the number of candidates and conditions warrant. Ordinarily, oral interviews are scheduled in Sacramento, San Francisco, and Los Angeles. However, locations of interviews may be limited or extended as conditions warrant.

ELIGIBLE LISTS: Eligible lists established by competitive examination, regardless of date, must be used in the following order: 1) subdivisional promotional, 2) departmental promotional, 3) multidepartmental promotional, 4) servicewide promotional, and 5) open eligible list. When there are two lists of the same kind, the older must be used first. Eligible lists will expire in from one to four years unless otherwise stated on this bulletin.

PROMOTIONAL EXAMINATIONS ONLY: Competition is limited to employees who have a permanent civil service appointment. Under certain circumstances, other employees may be allowed to compete under provisions of Rules 234, 235, and 235.2. State Personnel Board Rules 233, 234, 235, 235.2, and 237 contain provisions regarding civil service status and eligibility for promotional examinations. These rules may be reviewed at departmental personnel offices or at the **INFORMATION COUNTER** of **STATE PERSONNEL BOARD** offices.

GENERAL QUALIFICATIONS: Candidates must possess essential personal qualifications including integrity, initiative, dependability, good judgment, and ability to work cooperatively with others; and a state of health consistent with the ability to perform the assigned duties of the class. A medical examination may be required. In open examinations, investigation may be made of employment records and personal history and fingerprinting may be required.

INTERVIEW SCOPE: If an interview is conducted, in addition to the scope described on the other side of this bulletin, the panel will consider education, experience, personal development, personal traits, and fitness. In appraising experience, more weight will be given to the breadth and recency of pertinent experience and evidence of the candidate's ability to accept and fulfill increasing responsibilities than to the length of his/her experience. Evaluation of a candidate's personal development will include consideration of his/her recognition of his/her own training needs; his/her plans for self-development; and the progress he/she has made in his/her efforts toward self-development.

HIGH SCHOOL EQUIVALENCE: Equivalence to completion of the 12th grade may be demonstrated in any one of the following ways: 1) passing the General Educational Development (GED) Test by scoring at least 35 on each of the five subtests and averaging 45 for all the subtests; 2) completion of 12 semester units of college-level work; 3) certification from the State Department of Education, a local school board, or high school authorities that the candidate is considered to have education equivalent to graduation from high school; or 4) for clerical and accounting classes, substitution of business college work in place of high school on a year-for-year basis.